



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|------------------------|------------------|
| 09/814,042 | 03/20/2001 | Kevin E. Crawford | END920000058US1(13761) | 3522 |

7590 04/10/2007
Richard L. Catania, Esq.
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

| |
|----------|
| EXAMINER |
|----------|

PAULA, CESAR B

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2178

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 04/10/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/814,042

Applicant(s)

CRAWFORD ET AL.

Examiner

CESAR B. PAULA

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 6, 11 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, and 6, 11, and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the RCE amendment filed on 1/29/2007.

This action is made Non-Final.

2. In the amendment, claims 2-5, 7-10, 12-15, and 17-18 have been canceled. Claims 19-21 have been added. Claims 1, and 6, 11, and 19-21 are pending in the case. Claims 1, 6, and 11 are independent claims.

3. The rejections of claims 1-4, 6-9, 11-14 and 17-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Peiffer, in view of "Laura Lemay's Web Workshop JavaScript", Lemay et al, hereinafter Lemay, Sams.net, 1996, pp.219-229, have been withdrawn as necessitated by the amendment.

4. The rejections of claims 5, 10, and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Peiffer, in view of Ross (Pat.# 6,163,780, 12/19/2000), have been withdrawn as necessitated by the amendment.

Drawings

5. The drawings filed on 3/20/2001 have been approved by the examiner.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 1, 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1 recites "shortening receiving identifiers within the file" line 19. The specification is not clear as to what receiving identifiers are in a manner to instruct one of ordinary skill in the art as to the meaning of this limitation. The specification teaches shortening of recurring identifiers but not in regards to receiving identifiers.

8. Claims 1, 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1 recites "shortening receiving identifiers within the file" line 19. The specification is not clear as to what receiving identifiers are in a manner to instruct one of ordinary skill in the art how to make and use these receiving identifiers.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2178

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Claims 19-21 recite the limitation "said pre-identified subject matter" in line 1. There is insufficient antecedent basis for this limitation in the claim. There is no pre-identified subject matter described in any of the independent claims to refer to.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 1, 6, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Richards et al, hereinafter Richards (USPub 2002/0099829 A1, 7/25/2002, provisional filed on 11/27/2000).

Regarding independent claim 1, Richards discloses *a client* browser for downloading of a web page(s) from a proxy system or server. The web page contains Javascript, Vbscripts, applets, etc—*storing information in a scripted language format* (0016, 0091-0110).

Moreover, Richards teaches the elimination of applets, Java Scripts, VBscripts, etc in accordance to a device specifications or constraints --*identifying logic blocks in the web content file that are unused, and removing the identified, unused logic blocks from the web-content file; removing pre-identified subject matter in said scripted language; the unused logic blocks are functions that are in the file but not used* (0026-0027, 0092-0108).

Further, Richards teaches the mapping of Java Scripts, and Vbscripts in a web page to hyperlinks, analyzing and eliminating all duplicate references to a hyperlink. The code to the scripts is removed from the file and placed on another system-- *identifying logic blocks that are duplicated on the web-content file, consolidating the identified, duplicated logic blocks in the file into one entity in the reduced size file, wherein the consolidating step includes the step of identifying functions that are duplicated in the web-content file, and replacing the identified, duplicated functions in the file with a reference to a single function in a library; shortening receiving identifiers within the file, wherein said identifiers are not part of a tagged language; and* (0016, 0123(7)).

Furthermore, Richards teaches sending the webpage to the requesting client after it has been filtered, and compressed in accordance to the prescribed constraints and rules of the requesting device (0016, 0011, 0024). The filtering is done on the fly without needing to recompile the web page--*the server computer downloading to the browser of the client computer*

the reduced size file; wherein after the size of the requested file has been reduced, the requested file does not require re-compilation in order to be displayed by the browser.

Claim 6 is directed towards a computer system for implementing the steps found in claim 1, and therefore is similarly rejected.

Claim 11 is directed towards a program storage device for storing the steps found in claim 1, and therefore is similarly rejected.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards, in view of Peiffer et al, hereinafter Peiffer (USPat.#6,834,297, 12/21/2004, filed on 10/6/2000) .

Regarding claim 19, which depends on claim 1, Richard teaches the compressing and filtering the size of web pages by filtering out data, such as whitespaces, comments, metatags, etc., from the web page thereby creating a smaller modified resource (0092-0101, 0016).

Richards fails to explicitly teach *said pre-identified subject matter further includes Line Feeds, Carriage Returns, Tabs*. However, Peiffer teaches the compressing or filtering the size of web

Art Unit: 2178

pages by filtering out data, such as whitespaces, comments, ASCII hard returns, which are repeated throughout the HTML file— *shortening recurring identifiers, and said identifiers are not part of a tagged language*. (col.2, lines 1-16, col.9, lines 12-68, fig.17-19). It would have been obvious to combine Richards, and Peiffer, because of all the reasons found in Peiffer, including accelerating, and reducing delay of data transmission in a data network (col.1, lines 34-67).

Claim 20 is directed towards the steps found in claim 19, and therefore is similarly rejected.

Claim 21 is directed towards a device for storing the the steps found in claim 19, and therefore is similarly rejected.

Response to Arguments

16. Applicant's arguments with respect to claims 1, and 6, 11, and 19-21 have been considered but are moot in light of the new rejections found above.

Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chen et al. (Pub. # 2002/0073235 A1), Wyler (Pat. # 7,047,033 B2), and Brooke et al. (Pat. # 6,763,343).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 or 571 272-1000 (USA or Canada).

Any response to this Action should be mailed to:
Commissioner for Patents
P.O. Box 1450

Application/Control Number: 09/814,042

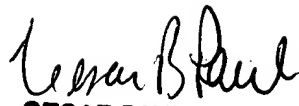
Page 9

Art Unit: 2178

Alexandria, VA 22313-1450

Or faxed to:

- (571)-273-8300 (for **all** Formal communications intended for entry)


CESAR PAULA
PRIMARY EXAMINER
4/5/2007